

- Potential loss of traditional fishing grounds
- Increase Marine Patrol enforcement
- Need to protect bay scallops from predators

VI. MANAGEMENT RECOMMENDATIONS AND PROPOSED RULE CHANGES

MFC selected management strategies

- Recommend enhancement through spawner transplants of wild harvest stocks and by cultured release.
- Recommend to the Oyster Hatchery Planning Advisory Team consider multiple uses of the demonstration oyster hatchery facilities for different shellfish species.

Note: The MFC approved the second recommendation and submitted a letter in April 2006 to the Oyster Hatchery Planning Advisory Team asking that the planning stages for the hatchery consider all shellfish species. The letter is included in Appendix 12.4.

AC and DMF - Recommend to the MFC that the Oyster Hatchery Planning Advisory Team consider multiple uses of the demonstration oyster hatchery facilities for different shellfish species.

AC - Recommend enhancement through seeding by cultured release.

DMF - Recommend enhancement through spawner transplants of wild harvest stocks and by cultured release.

Current rule

15A NCAC 03K .0103 SHELLFISH OR SEED MANAGEMENT AREAS

(a) The Fisheries Director may, by proclamation, designate Shellfish Management Areas which meet any of the following criteria. The area has:

- (1) Conditions of bottom type, salinity, currents, cover or cultch necessary for shellfish growth;
- (2) Shellfish populations or shellfish enhancement projects which may produce commercial quantities of shellfish at ten bushels or more per acre;
- (3) Shellfish populations or shellfish enhancement projects which may produce shellfish suitable for transplanting as seed or for relaying from prohibited (polluted) areas.

(b) It is unlawful to use a trawl net, long haul seine, or swipe net in any designated Shellfish or Seed Management area. These areas shall be marked with signs or buoys. Unmarked and undesignated tributaries shall be the same designation as the designated waters to which they connect or into which they flow. No unauthorized removal or relocation of any such marker shall have the effect of changing the designation of any such body of water or portion thereof, nor shall any such unauthorized removal or